

SYNOPSIS

Rule 111-2-1 Health Planning Administration

Rule 111-2-1-.01 Definitions

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of this proposed amendment in totality is to modify existing regulations in light of changes in the Certificate of Need statute, O.C.G.A. § 31-6 et seq., due to the passage of Senate Bill (SB) 433 in the 2008 Georgia General Assembly. SB 433 necessitates extensive revision to the existing administrative rules for certificate of need. The revisions are outlined in detail below.

DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES

Various grammatical and punctuation errors and omissions were corrected throughout the existing version of the regulations.

The existing regulation, 111-2-1-.01 is modified as follows:

A new definition for "Certificate of Need Appeal Panel" is added at 111-2-1-.01(2).

A new definition of "Health Strategies Council" is added at 111-2-1-.01(5).

Definitions for "Review Board" and "State Health Plan" were deleted at 111-2-1-.01(5) and (6).

111-2-1-.01 Definitions.

(1) "Board" means the Board of Community Health, the body created under O.C.G.A. § 31-5A-3, appointed by the Governor, that establishes the general policy to be followed by the Department of Community Health.

(2) "Certificate of Need Appeal Panel" or 'appeal panel' means the panel of independent hearing officers created pursuant to O.C.G.A. § 31-6-44 to conduct appeal hearings.

(2 3) "Commissioner" means the commissioner of community health established under O.C.G.A. § 31-5A-6.

(3 4) "Department" means the Department of Community Health established under O.C.G.A. § 31-5A-4.

(4 5) "Health Strategies Council" or "Council" ~~as defined at O.C.G.A. § 31-6-2(10)~~ means the body created by ~~O.C.G.A. § 31-6-20~~, this chapter to advise the Department and ~~adopt the State Health Plan of Community Health.~~

(5) ~~"Review Board" as defined at O.C.G.A. § 31-6-2(21) means the Health Planning Review Board created by O.C.G.A. § 31-6-44 to hear and make determinations regarding appeals of decisions of the Department related to applications for a Certificate of Need.~~

(6) ~~"State Health Plan" as defined at O.C.G.A. § 31-6-2(23) means a comprehensive program adopted by the Health Strategies Council, approved by the Board of Community Health, and implemented by the State of Georgia for the purpose of providing adequate health care services and facilities throughout the State.~~

Authority O.C.G.A. §§. 31-5A et seq. and 31-6 et seq.